

1 **REQUEST NO. 109:** Documents listing each and every request made within the last six years by
2 a home audio device manufacturer for proposals from FMA to develop, manufacture, distribute,
or otherwise produce an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 109:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the
9 identities of "home audio device manufacturer[s]" and the meaning of what constitutes a
10 "request... for proposal[]"; and (e) it calls for information not within the possession or control of
11 FMA.

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13 **REQUEST NO. 110:** Documents listing each and every proposal made within the last six years
14 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a home audio device manufacturer.

15 **RESPONSE TO REQUEST NO. 110:** In addition to its General Objections, FMA objects to
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
18 and/or confidential information not reasonably calculated to lead to the discovery of admissible
19 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
20 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the
21 identities of "home audio device manufacturer[s]".

1 **REQUEST NO. 111:** Documents listing each and every graphic display device manufacturer that
2 has purchased an FMA dynamic memory chip for use or incorporation in one of its products
within the last six years.

3 **RESPONSE TO REQUEST NO. 111:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
6 unduly burdensome such as calling for the production of documents listing “each and every
7 graphic display device manufacturer”; (c) it is vague and ambiguous, in particular as to the
8 identities of “graphic display device manufacturer[s]” and their “products”; and (d) it calls for
9 information not within the possession or control of FMA.

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11 **REQUEST NO. 112:** Documents listing each and every graphic display device that has used or
incorporated an FMA dynamic memory chip within the last six years.

12 **RESPONSE TO REQUEST NO. 112:** In addition to its General Objections, FMA objects to
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
15 unduly burdensome such as calling for the production of documents “listing each and every
16 graphic display device”; (c) it is vague and ambiguous, in particular as to what constitutes a
17 “graphic display device” and what constitutes “used or incorporated”; (d) it seeks information
18 equally available to Plaintiffs; and (e) it calls for information not within the possession or control
19 of FMA.
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1 **REQUEST NO. 113:** Documents listing each and every contract entered into within the last six
2 years between FMA and a graphic display device manufacturer involving an FMA dynamic
memory chip.

3 **RESPONSE TO REQUEST NO. 113:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to
9 the meaning of what constitutes a "contract" and the identities of "graphic display device
10 manufacturer[s]".

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12 **REQUEST NO. 114:** Documents listing each and every request made within the last six years by
13 a graphic display device manufacturer for proposals from FMA to develop, manufacture,
distribute, or otherwise produce an FMA dynamic memory chip.

14 **RESPONSE TO REQUEST NO. 114:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
19 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the
20 identities of "graphic display device manufacturer[s]" and the meaning of what constitutes a
21 "request... for proposal[]"; and (e) it calls for information not within the possession or control of
22 FMA.

1 **REQUEST NO. 115:** Documents listing each and every proposal made within the last six years
2 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a graphic display device manufacturer.

3 **RESPONSE TO REQUEST NO. 115:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
8 “listing each and every proposal”; and (d) it is vague and ambiguous, in particular as to the
9 identities of “graphic display device manufacturer[s]” and the meaning of what constitutes a
10 “proposal”.
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12 **REQUEST NO. 116:** Documents listing each and every consumer electronics manufacturer that
13 has purchased an FMA dynamic memory chip for use or incorporation in one of its products
within the last six years.

14 **RESPONSE TO REQUEST NO. 116:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
17 unduly burdensome such as calling for the production of documents listing “each and every
18 consumer electronics manufacturer”; (c) it is vague and ambiguous, in particular as to the
19 identities of “consumer electronics manufacturer[s]” and their “products”; and (d) it calls for
20 information not within the possession or control of FMA. .
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1 **REQUEST NO. 117:** Documents listing each and every consumer electronic item that has used
2 or incorporated an FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 117:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
6 unduly burdensome such as calling for the production of documents "listing each and every
7 consumer electronic item"; (c) it is vague and ambiguous, in particular as to what constitutes
8 "used or incorporated" and what constitutes a "consumer electronic item"; (d) it seeks
9 information equally available to Plaintiffs; and (e) it calls for information not within the
10 possession or control of FMA.

11 **REQUEST NO. 118:** Documents listing each and every contract entered into within the last six
12 years between FMA and a consumer electronics manufacturer involving an FMA dynamic
13 memory chip.

14 **RESPONSE TO REQUEST NO. 118:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential
17 and/or proprietary information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
19 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to
20 the meaning of what constitutes a "contract" and the identities of "consumer electronics
21 manufacturer[s]".
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1 **REQUEST NO. 119:** Documents listing each and every request made within the last six years by
2 a consumer electronics manufacturer for proposals from FMA to develop, manufacture,
3 distribute, or otherwise produce an FMA dynamic memory chip.

4 **RESPONSE TO REQUEST NO. 119:** In addition to its General Objections, FMA objects to
5 the request on the following grounds: (a) it seeks information that is neither relevant to this action
6 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
7 and/or confidential information not reasonably calculated to lead to the discovery of admissible
8 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
9 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the
10 identities of "consumer electronics manufacturer[s]" and the meaning of what constitutes a
11 "request... for proposal[]"; and (e) it calls for information not within the possession or control of
12 FMA.

13 **REQUEST NO. 120:** Documents listing each and every proposal made within the last six years
14 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
15 chip for a consumer electronics manufacturer.

16 **RESPONSE TO REQUEST NO. 120:** In addition to its General Objections, FMA objects to
17 the request on the following grounds: (a) it seeks information that is neither relevant to this action
18 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
19 and/or confidential information not reasonably calculated to lead to the discovery of admissible
20 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
21 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the
22 identities of "consumer electronics manufacturer[s]".

1 **REQUEST NO. 121:** Documents listing each and every contract entered into within the last six
2 years between FMA and a government entity or government subcontractor, including military
entities, involving an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 121:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks confidential
6 and/or proprietary information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
8 documents "listing each and every contract"; and (d) it is vague and ambiguous, in particular as to
9 the meaning of what constitutes a "contract" and the identities of "government entit[ies] or
10 government subcontractor[s]".

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12 **REQUEST NO. 122:** Documents listing each and every request made within the last six years by
13 a government entity or government subcontractor, including military entities, for proposals from
FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory chip.

14 **RESPONSE TO REQUEST NO. 122:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
19 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the
20 identities of "government entit[ies] or government subcontractor[s]" and the meaning of what
21 constitutes a "request... for proposal[]"; and (e) it calls for information not within the possession
22 or control of FMA.

1 **REQUEST NO. 123:** Documents listing each and every proposal made within the last six years
2 by government entity or government subcontractor, including military entities, to develop,
3 manufacture, distribute, or otherwise produce an FMA dynamic memory chip for a government
4 entity or government subcontractor, including military entities.

5 **RESPONSE TO REQUEST NO. 123:** In addition to its General Objections, FMA objects to
6 the request on the following grounds: (a) it seeks information that is neither relevant to this action
7 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
8 and/or confidential information not reasonably calculated to lead to the discovery of admissible
9 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
10 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the
11 identities of "government entit[ies] or government subcontractor[s]" and the meaning of what
12 constitutes a "proposal".

13 **REQUEST NO. 124:** Documents listing each and every manufacturer that has purchased-an
14 FMA dynamic memory chip for use or incorporation in one of its products within the last six
15 years.

16 **RESPONSE TO REQUEST NO. 124:** In addition to its General Objections, FMA objects to
17 the request on the following grounds: (a) it seeks information that is neither relevant to this action
18 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
19 and/or confidential information not reasonably calculated to lead to the discovery of admissible
20 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
21 documents "listing each and every manufacturer that has purchased[a] FMA dynamic memory
22 chip"; and (e) it is vague and ambiguous, in particular as to the identities these manufacturers and
23 their "products".

1 **REQUEST NO. 125:** Documents listing each and every product that has used or incorporated an
2 FMA dynamic memory chip within the last six years.

3 **RESPONSE TO REQUEST NO. 125:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
6 equally available to Plaintiffs; (c) it seeks proprietary information not reasonably calculated to
7 lead to the discovery of admissible evidence; (d) it is overbroad and unduly burdensome, such as
8 calling for the production of documents listing "each and every product" that has used or
9 incorporated a FMA dynamic memory chip; (e) it is vague and ambiguous, in particular as to the
10 term "products"; and (f) it calls for information not within the possession or control of FMA.

11 **REQUEST NO. 126:** Documents listing each and every contract entered into within the last six
12 years between FMA and a manufacturer involving an FMA dynamic memory chip.

13 **RESPONSE TO REQUEST NO. 126:** In addition to its General Objections, FMA objects to
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
16 protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (d) it is overbroad and unduly burdensome such as calling for the production of
19 documents listing "each and every contract"; and (e) it is vague and ambiguous, in particular as to
20 the meaning of what constitutes a "contract".

1 **REQUEST NO. 127:** Documents listing each and every request made within the last six years by
2 a manufacturer for proposals from FMA to develop, manufacture, distribute, or otherwise produce
an FMA dynamic memory chip.

3 **RESPONSE TO REQUEST NO. 127:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of
8 documents "listing each and every request"; (d) it is vague and ambiguous, in particular as to the
9 identities of "manufacturer[s]" and the meaning of what constitutes a "request... for proposal[]";
10 and (e) it calls for information not within the possession or control of FMA.

11
12 **REQUEST NO. 128:** Documents listing each and every proposal made within the last six years
13 by FMA to develop, manufacture, distribute, or otherwise produce an FMA dynamic memory
chip for a manufacturer.

14 **RESPONSE TO REQUEST NO. 128:** In addition to its General Objections, FMA objects to
15 the request on the following grounds: (a) it seeks information that is neither relevant to this action
16 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
17 and/or confidential information not reasonably calculated to lead to the discovery of admissible
18 evidence; (c) it is overbroad and unduly burdensome such as calling for the production documents
19 "listing each and every proposal"; and (d) it is vague and ambiguous, in particular as to the
20 identities of "manufacturer[s]" and the meaning of what constitutes a "proposal".

1 **REQUEST NO. 129:** All documents reflecting FMA's retention of any person as an employee,
2 agent, or in any other capacity in Guam during the past five (5) years.

3 **RESPONSE TO REQUEST NO. 129:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 and/or confidential information not reasonably calculated to lead to the discovery of admissible
7 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
8 documents reflecting FMA's retention of any person; and (d) it is vague and ambiguous, in
9 particular as to the meaning of "any other capacity".

10 **REQUEST NO. 130:** All documents reflecting FMA's entry into any contract for the purchase or
11 sale of merchandise within Guam during the past five (5) years.

12 **RESPONSE TO REQUEST NO. 130:** In addition to its General Objections, FMA objects to
13 the request on the following grounds: (a) it seeks information that is neither relevant to this action
14 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
15 unduly burdensome such as calling for the production of all documents reflecting FMA's entry
16 into any contract; (c) it is vague and ambiguous, in particular as to the meaning of the terms
17 "merchandise" and "contract"; and (d) it calls for information not within the possession or control
18 of FMA.

19
20 **REQUEST NO. 131:** All documents reflecting performance of the contracts in the above Request
21 for Production.

22 **RESPONSE TO REQUEST NO. 131:** In addition to its General Objections, FMA objects to
23 the request on the following grounds: (a) it seeks information that is neither relevant to this action

1 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
2 and/or confidential information not reasonably calculated to lead to the discovery of admissible
3 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
4 documents reflecting performance of contracts; (d) it is vague and ambiguous; and (e) it calls for
5 information not within the possession or control of FMA.

6
7 **REQUEST NO. 132:** All documents reflecting FMA's interest during the past five (5) years in
8 any corporation that was qualified to do business or which had an office in Guam.

9 **RESPONSE TO REQUEST NO. 132:** In addition to its General Objections, FMA objects to
10 the request on the following grounds: (a) it seeks information that is neither relevant to this action
11 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
12 protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary
13 and/or confidential information not reasonably calculated to lead to the discovery of admissible
14 evidence; (d) it is overbroad and unduly burdensome such as calling for the production of "[a]ll
15 documents reflecting FMA's interest"; (e) it seeks information equally available to Plaintiffs; and
16 (f) it is vague and ambiguous, in particular as to the meaning of the term "interest".

17
18 **REQUEST NO. 133:** All documents reflecting FMA's employment during the past five (5) years
19 of individuals, whether resident or not, living or working in Guam.

20 **RESPONSE TO REQUEST NO. 133:** In addition to its General Objections, FMA objects to
21 the request on the following grounds: (a) it seeks information that is neither relevant to this action
22 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
23 and/or confidential information not reasonably calculated to lead to the discovery of admissible

1 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
2 documents reflecting FMA's employment of individuals living or working in Guam; and (d) it is
3 vague and ambiguous, in particular as to the meaning of "living or working in Guam".

4
5 **REQUEST NO. 134:** All documents reflecting FMA's employment during the past five (5) years
6 of any sales agents or representatives of any kind who lived, worked or solicited business in
Guam.

7 **RESPONSE TO REQUEST NO. 134:** In addition to its General Objections, FMA objects to
8 the request on the following grounds: (a) it seeks information that is neither relevant to this action
9 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
10 and/or confidential information not reasonably calculated to lead to the discovery of admissible
11 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
12 documents reflecting FMA's employment of any sales agents of any kind; and (d) it is vague and
13 ambiguous, in particular as to the meaning of "lived, worked or solicited business in Guam".

14
15 **REQUEST NO. 135:** All documents reflecting FMA's distributors, suppliers, partners or
16 customers having offices in Guam during the past five (5) years.

17 **RESPONSE TO REQUEST NO. 135:** In addition to its General Objections, FMA objects to
18 the request on the following grounds: (a) it seeks information that is neither relevant to this action
19 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
20 and/or information not reasonably calculated to lead to the discovery of admissible evidence; (c)
21 it is overbroad and unduly burdensome; (d) it is vague and ambiguous; and (e) it calls for
22 information not within the possession or control of FMA.

1 **REQUEST NO. 136:** All documents reflecting FMA's maintenance during the past five (5) years
2 of a telephone listing, or listed or used a post office box, or other mailing address in Guam.

3 **RESPONSE TO REQUEST NO. 136:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; and (b) it seeks
6 information equally available to Plaintiffs.

7 **REQUEST NO. 137:** All documents reflecting FMA's representation by attorneys, for any
8 purposes, who are admitted to practice in Guam.

9 **RESPONSE TO REQUEST NO. 137:** In addition to its General Objections, FMA objects to
10 the request on the following grounds: (a) it seeks information that is neither relevant to this action
11 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks information
12 protected by the attorney-client privilege and the work-product doctrine; (c) it seeks proprietary
13 and/or confidential information not reasonably calculated to lead to the discovery of admissible
14 evidence; (d) it is overbroad and unduly burdensome; (e) it is vague and ambiguous; and (f) it
15 calls for information not within the possession or control of FMA.

16
17 **REQUEST NO. 138:** All documents reflecting FMA's rental, ownership, operation, or holding of
18 any interest whatsoever (including by lease) of any personal property in Guam.

19 **RESPONSE TO REQUEST NO. 138:** In addition to its General Objections, FMA objects to
20 the request on the following grounds: (a) it seeks information that is neither relevant to this action
21 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
22 and/or confidential information not reasonably calculated to lead to the discovery of admissible
23 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all

1 documents reflecting any interest whatsoever of any personal property; and (e) it is vague and
2 ambiguous, in particular as to the meaning of "personal property".

3
4 **REQUEST NO. 139:** All documents reflecting FMA's contracts for the sale of goods or services
5 during the last five (5) years to any person or business entity located or having an office in Guam.

6 **RESPONSE TO REQUEST NO. 139:** In addition to its General Objections, FMA objects to
7 the request on the following grounds: (a) it seeks information that is neither relevant to this action
8 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
9 and/or confidential information not reasonably calculated to lead to the discovery of admissible
10 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
11 documents reflecting contracts for the sale of goods or services; (d) it is vague and ambiguous;
12 and (e) it calls for information not within the possession or control of FMA.

13
14 **REQUEST NO. 140:** All documents reflecting FMA's direct or indirect shipment of any goods
15 or products or any goods or products incorporating FMA's dynamic memory chip into or through
Guam during the last five (5) years.

16 **RESPONSE TO REQUEST NO. 140:** In addition to its General Objections, FMA objects to
17 the request on the following grounds: (a) it seeks information that is neither relevant to this action
18 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
19 and/or confidential information not reasonably calculated to lead to the discovery of admissible
20 evidence; (c) it is overbroad and unduly burdensome such as calling for all documents reflecting
21 FMA's direct or indirect shipment of any goods or products; (d) it is vague and ambiguous, in
22 particular as to the meaning of "indirect shipment" and "incorporating"; and (e) it calls for
23 information not within the possession or control of FMA.

1 **REQUEST NO. 141:** All documents reflecting the authorization of FMA, or FMA's affiliates or
2 subsidiaries, to transact business within Guam within the past ten (10) years.

3 **RESPONSE TO REQUEST NO. 141:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
6 unduly burdensome such as calling for the production of all documents reflecting authorization;
7 and (c) it is vague and ambiguous, in particular as to the identities of "FMA's affiliates or
8 subsidiaries".

9 **REQUEST NO. 142:** All documents reflecting contracts between FMA and customers or FMA
10 and partners in Guam.

11 **RESPONSE TO REQUEST NO. 142:** In addition to its General Objections, FMA objects to
12 the request on the following grounds: (a) it seeks information that is neither relevant to this action
13 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
14 and/or confidential information not reasonably calculated to lead to the discovery of admissible
15 evidence; (c) it is overbroad and unduly burdensome such as calling for the production of all
16 documents reflecting contracts between FMA and customers or partners; (d) it is vague and
17 ambiguous, in particular as to the meaning of the terms "contract" and "partners"; and (e) it calls
18 for information not within the possession or control of FMA.

1 **REQUEST NO. 143:** All documents reflecting each and every contact between FMA or FMA's
2 affiliates or subsidiaries, or FMA's representative with residents of Guam within the last ten (10)
3 years to the present, including, but not limited to, direct contact, such as telephone contact or
4 correspondence, as well as advertisements of any sort.

5 **RESPONSE TO REQUEST NO. 143:** In addition to its General Objections, FMA objects to
6 the request on the following grounds: (a) it seeks information that is neither relevant to this action
7 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
8 information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is
9 overbroad and unduly burdensome such as calling for the production of all documents reflecting
10 "each and every contact"; (e) it is vague and ambiguous, in particular as to the meaning of
11 "contact" and the identities of "FMA's affiliates or subsidiaries, or FMA's representative"; and
12 (f) it calls for information not within the possession or control of FMA.

13 **REQUEST NO. 144:** All documents reflecting attempts by FMA or FMA's affiliates or
14 subsidiaries to solicit any business in Guam during the past ten (10) years.

15 **RESPONSE TO REQUEST NO. 144:** In addition to its General Objections, FMA objects to
16 the request on the following grounds: (a) it seeks information that is neither relevant to this action
17 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
18 and/or confidential information not reasonably calculated to lead to the discovery of admissible
19 evidence; (c) it is overbroad and unduly burdensome such as requesting all documents reflecting
20 attempts to solicit any business; and (d) it is vague and ambiguous, in particular as to what
21 defines an attempt to solicit any business.

1 **REQUEST NO. 145:** All documents reflecting attempts by FMA or FMA's affiliates or
2 subsidiaries to solicit any individual in Guam during the past ten (10) years.

3 **RESPONSE TO REQUEST NO. 145:** In addition to its General Objections, FMA objects to
4 the request on the following grounds: (a) it seeks information that is neither relevant to this action
5 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
6 information not reasonably calculated to lead to the discovery of admissible evidence; (c) it is
7 overbroad and unduly burdensome such as requesting all documents reflecting attempts to solicit
8 any individual; and (d) it is vague and ambiguous, in particular as to what defines an attempt to
9 solicit any individual.

10 **REQUEST NO. 146:** All documents reflecting the total number of sales and gross annual amount
11 of the sales, all direct sales made by FMA or FMA's affiliates or subsidiaries to customers in
12 Guam or customers with operations in Guam for each of the last ten (10) years.

13 **RESPONSE TO REQUEST NO. 146:** In addition to its General Objections, FMA objects to
14 the request on the following grounds: (a) it seeks information that is neither relevant to this action
15 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it is overbroad and
16 unduly burdensome such as calling for the production of all documents reflecting total sales to
17 customers in Guam or with operations in Guam; (c) it is vague and ambiguous, in particular as to
18 the identities of FMA's affiliates or subsidiaries; and (d) it calls for information not within the
19 possession or control of FMA.

1 **REQUEST NO. 147:** All documents reflecting shipment of any merchandise into Guam on
consignment by FMA or FMA's affiliates or subsidiaries during the past ten (10) years.

2 **RESPONSE TO REQUEST NO. 147:** In addition to its General Objections, FMA objects to
3 the request on the following grounds: (a) it seeks information that is neither relevant to this action
4 nor reasonably calculated to lead to the discovery of admissible evidence; (b) it seeks proprietary
5 and/or confidential information not reasonably calculated to lead to the discovery of admissible
6 evidence; (c) it is vague and ambiguous; and (d) it calls for information not within the possession
7 or control of FMA.

8
9 Dated: Jan. 14, 2007

10 By: 

11 Christopher E. Chalsen (*pro hac vice*)
12 Michael M. Murray (*pro hac vice*)
13 Lawrence T. Kass (*pro hac vice*)
14 Milbank, Tweed, Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, NY 10005
(212) 530-5000

15 Rodney J. Jacob
16 Daniel M. Benjamin
17 Calvo & Clark LLP
655 South Marine Corp Drive
Suite 202
18 Tamuning, Guam 96913
(671) 646-9355

19
20 Attorneys for Defendant Fujitsu Microelectronics America,
Inc.

21 NY2: #4724243v1

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was served
on the following counsel of record via first class mail on January 16, 2007:

Joseph C. Razzano, Esq.
Teker Torres & Teker, PC
Suite 2A, 130 Aspinall Avenue
Hagatna, Guam 96910

John S. Unpingco, Esq.
Unpingco & Associates, LLC
Suite 12B Sinajana Mall
Sinajana, Guam

Michael W. Shore, Esq.
Shore Chan Bragalone, LLP
323 North Saint Paul Street, Suite 4450
Dallas, Texas 75201

MICHAEL M. MURRAY

EXHIBIT B

SHORECHAN
BRAGALONE LLP

Aifonso G. Chan
Republic Center
325 North Saint Paul Street
Suite 4450
Dallas, Texas 75201
214.593.9120 Direct Dial
214.593.9111 Facsimile
achan@shorechan.com

January 8, 2007

VIA EMAIL-PDF FORMAT AND FEDERAL EXPRESS

Christopher E. Chalsen, Esq.
Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005

Re: Nanya Technology Corp. et al. v. Fujitsu Ltd. et al., No. 06-25 (D. Guam
Sept. 13, 2006) and Fujitsu Ltd. et al. v. Nanya Technology Corp. et al.,
No. 06-06613 (N. D. Cal. Oct. 24, 2006).

Dear Mr. Chalsen:

With the upcoming case management conferences on January 30, 2007 in Guam and February 2, 2007 in California, the parties need to address the procedures governing the parties' exchange of documents for discovery. I have attached a proposed protective order that the parties could use for both the Guam and California actions. Please review it. I would appreciate your comments by Monday, January 15, 2007.

Further, in Defendant Fujitsu Limited's Objections to the Magistrate's Order Granting Motion for Alternative Service of Process on Fujitsu Limited, filed on November 20, 2006, Fujitsu Limited relied on the declarations of Shigeshi Tanaka, Shigeru Kitano, Yuichi Sakoda, Takao Miura, Katsuya Irie, Michael Murray, and yourself to support Fujitsu Limited's arguments regarding service of process and jurisdiction. So these factual allegations may be properly addressed, please provide deposition dates in the month of January and February for these declarants. These depositions can be conducted at the Tamuning offices of Calvo & Clark. Again, I would appreciate your response by Monday, January 15, 2007.

Sincerely,


Alfonso G. Chan

SHORECHAN
BRAGALONE_{LLP}

Christopher E. Chalsen, Esq.
Milbank Tweed Hadley & McCloy LLP
January 8, 2007
Page 2

Enclosure

cc: Judge John Unpingco
Joseph Razzano
Daniel M. Benjamin
All With Enclosure

SHORECHAN
BRAGALONE_{LLP}

Martin Pascual
Republic Center
325 North Saint Paul Street
Suite 4450
Dallas, Texas 75201
214.593.9118 Direct Dial
214.593.9111 Facsimile
mpascual@shorechan.com

January 17, 2007

VIA EMAIL-PDF FORMAT

Christopher E. Chalsen, Esq.
Milbank Tweed Hadley & McCloy LLP
1 Chase Manhattan Plaza
New York, New York 10005

Re: Nanya Technology Corp. et al. v. Fujitsu Ltd. et al., No. 06-25 (D. Guam
Sept. 13, 2006) and Fujitsu Ltd. et al. v. Nanya Technology Corp. et al.,
No. 06-06613 (N. D. Cal. Oct. 24, 2006).

Dear Mr. Chalsen:

On January 8, 2007, Alfonso Chan sent you a letter requesting your comments regarding a proposed protective order to govern the procedures for the parties' pending exchange of documents for discovery. To date, you have not responded to Mr. Chan's letter. Please let us know your comments, if any, to the proposed protective order by 12:00 noon (C.S.T.), Friday, January 19. If we do not hear from you by then, we will assume you oppose working with us to draft a proposed protective order and will accordingly raise this issue with the Court.

Additionally, Mr. Chan requested available dates in Guam for depositions for the individuals whose declarations Fujitsu Limited relied upon in its Objections to the Magistrate's Order Granting Motion for Alternative Service of Process. As Mr. Chan explained in the January 8th letter, so that the factual allegations in the declarations in Fujitsu Limited's Objections may be properly addressed, Nanya Technology Corp. and Nanya Technology Corp. U.S.A. are entitled to question these declarants. As Mr. Chan assured you, these depositions can be conducted in Guam at Fujitsu Limited's local counsel's offices to accommodate any concerns. Please also let us know available dates by 12:00 noon (C.S.T.), Friday, January 19. Otherwise, we will be forced to seek the Court's intervention.

Sincerely,



Martin Pascual

SHORECHAN
BRAGALONE_{LLP}

Christopher E. Chalsen, Esq.
Milbank Tweed Hadley & McCloy LLP
January 17, 2007
Page 2

cc: Judge John Unpingco
Joseph Razzano
Daniel M. Benjamin

EXHIBIT C

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MILBANK, TWEED, HADLEY & MCCLOY LLP

1 CHASE MANHATTAN PLAZA

NEW YORK, N.Y. 10005-1419

LOS ANGELES
213-692-4000
FAX: 213-629-8063

PALO ALTO
650-739-7000
FAX: 650-739-7100

WASHINGTON, D.C.
202-638-7500
FAX: 202-638-7588

LONDON
44-207-448-3000
FAX: 44-207-448-3039

212-530-5000

FAX: 212-530-5219

MICHAEL M. MURRAY
PARTNER
DIRECT DIAL NUMBER
812-530-5434
FAX: 212-530-5434

January 19, 2007

MUNICH
49-89-25559-3600
FAX: 49-89-25559-3700

FRANKFURT
49-69-7593-7170
FAX: 49-69-7593-8303

TOKYO
81-3-3504-1050
FAX: 81-3-3595-2790

HONG KONG
852-2971-6888
FAX: 852-2840-0798

SINGAPORE
65-6428-2400
FAX: 65-6428-2500

VIA FACSIMILE (214-593-9111)

Martin Pascual, Esq.
Shore Chan Bragalone LLP
325 N. St. Paul Street
Suite 4450
Dallas, Texas 75201

Re: Fujitsu v. Nanya, Civil Case No. CV06-00025

Dear Martin:

This is in response to your letter to Chris Chalsen dated January 17, 2007.

Concerning the proposed protective order, we are reviewing it and should be able to get back to you next week with any proposed changes.

You have asked for deposition dates for seven individuals who submitted declarations in connection with Fujitsu Limited's objections to the magistrate's Order concerning service. As you know, the briefing on this issue was completed some time ago, well before Mr. Shore's letter seeking the depositions. Further, the hearing will occur in less than a week and the entire issue may thus be rendered moot. Accordingly, it makes more sense to discuss this issue again after the hearing.

We further note that, absent agreement to the contrary, individuals should be deposed within a reasonable distance of where they work or live. The fact that an individual submits a declaration in Guam does not mean that the individual consents to travel to Guam for the purpose of a deposition. Accordingly, for any Japanese witness, you will need to arrange a room at the American embassy to conduct the deposition.

Finally, you should be aware that any depositions you choose to take on the service issue will count fully toward the total number of depositions Nanya is allowed under the Federal Rules. Furthermore, to prevent undue inconvenience to individual witnesses, we will

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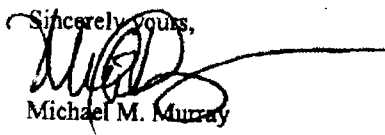
Mr. Martin Pascual

Page 2

January 19, 2007

object to any attempt to recall a witness after their deposition. Thus, if you proceed with these depositions, we fully expect that there will be no further depositions of these same witnesses.

Sincerely yours,

A handwritten signature in black ink, appearing to read "M. Murray", with a long horizontal flourish extending to the right.

Michael M. Murray

MMM:mmm

cc: Christopher E. Chalsen, Esq.

NY2: #4724799v1

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MILBANK, TWEED, HADLEY & M^CCLOY

1 CHASE MANHATTAN PLAZA

NEW YORK, NY 10005-1413

212-530-5000

FAX: 212-530-5219

FACSIMILE TRANSMISSION

DATE: January 19, 2007

TO:

NAME	FAX NO.	PHONE NO.
Martin Pascual, Esq. Shore Chan Bragalone LLP	214-593-9111	

FROM: Michael M. Murray

PHONE: 212-530-5424

RE: Fujitsu v. Nanya

FILE NUMBER:	35068.02100		
NUMBER OF PAGES, INCLUDING COVER:	2	ORIGINALS FOLLOW BY MAIL:	no

MESSAGE:

Please see attached.

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MILBANK, TWEED, HADLEY & McCLOY LLP

1 CHASE MANHATTAN PLAZA

NEW YORK, N.Y. 10005-1410

212-530-5000

FAX: 212-530-5219

LOS ANGELES
213-892-4000
FAX: 213-629-5063

PALO ALTO
650-739-7000
FAX: 650-739-7100

WASHINGTON, D.C.
202-835-7500
FAX: 202-835-7586

LONDON
44-207-448-3000
FAX: 44-207-448-3029

MICHAEL M. MURRAY
PARTNER
DIRECT DIAL NUMBER
212-530-5424
FAX: 212-522-5424

January 29, 2007

MUNICH
49-89-25559-3600
FAX: 49-89-25559-3700

FRANKFURT
49-69-7563-7170
FAX: 49-69-7593-8303

TOKYO
813-3504-1050
FAX: 813-3595-2790

HONG KONG
852-2971-4888
FAX: 852-2840-0792

SINGAPORE
65-6428-2400
FAX: 65-6428-2500

VIA E-MAIL

Alfonso Chan, Esq.
Shore Chan Bragalone LLP
325 N. St. Paul Street
Suite 4450
Dallas, Texas 75201

Re: Fujitsu v. Nanya, Civil Case No. CV06-00025

Dear Alfonso:

This is in response to your letter of January 25, 2007 addressing the alleged deficiencies in FMA's responses to Plaintiffs' document requests.

We initially note that this is the first request for a conference concerning FMA's responses to the document requests. The telephone conference on January 12, 2007 occurred, as you know, before you received FMA's responses and thus certainly did not address the merits of those responses. During the call, we did tell you several times that written responses would be served on time, and they were. We further did not discuss FMA's responses "in person" in Guam last week. The conference between counsel in Guam last week addressed scheduling issues and not the merits of FMA's responses to the document requests.

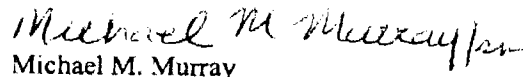
You state that you would like a conference to "determine whether it will be necessary to seek judicial resolution of our differences". However, you have already sought judicial resolution, *i.e.*, by filing a motion to compel. We suggest that, in the future, you attempt to meet and confer on the substance of any response to a discovery demand after you have had an opportunity to review the response and before you involve the court.

As for the document requests themselves, we believe they are overbroad, burdensome and constitute an inappropriate fishing expedition. Nevertheless, we are willing to discuss a reasonable compromise.

Alfonso Chan, Esq.
January 29, 2007
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Concerning the protective order, we are reviewing your draft and will provide comments shortly.

Sincerely yours,


Michael M. Murray

MMM:smm

cc: Christopher E. Chalsen, Esq.

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